



OFFICE OF THE
T O W N C L E R K
TOWN HALL
511 MAIN STREET
DUNSTABLE, MA 01827-1313
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Report of the Town Clerk 2005

In 2005, the Town adopted the following amendments to the Zoning Bylaws: **Section 13** [temporary signs by adding the adjusting language to Sections 13.1 and 13.2 of the Bylaw, and by adopting the new Subsection 13.6. and **Section 23, Mixed Use District**, relative to density limitations based on area and numbers of units.

The Town adopted a General Bylaw known as the "Disposition of Town Fees Bylaw".

Provisions of Massachusetts General Laws were adopted in 2005 as follows: **Chapter 41, Section 108P**, which allows for additional compensation to be paid to the Tax Collector/Treasurer upon certification by the Massachusetts Treasurer and Collectors Association; **Chapter 41, Section 19K**, which allows for additional compensation to be paid to the Town Clerk upon certification by the Massachusetts Town Clerk Association as a certified Municipal Clerk; **Chapter 59, Section 57C** for the purpose of adopting and/or establishing a quarterly tax payment system effective with fiscal year 2007 taxes.

The Town Clerk's Office continued to hold Saturday hours in January and February for the convenience of our residents. There were 566 board/committee meetings posted with this office in 2005. Total fees collected by this office amounted to \$6,126.00 [see report].

I hereby submit the annual report of the Office of The Town Clerk for year ending 2005 to the Board of Selectmen and Citizens of Dunstable, Massachusetts.

Respectfully submitted,

Carol A. Skerrett
Town Clerk

REPORT OF THE TOWN CLERK 2005

CENSUS INFORMATION

Population	3,153	(3,162 in 2004)
Households (census forms mailed)	1,071	
Registered Voters	2,031	
Democrats	393	
Republicans	370	
Unenrolled (no party)	1,251	
Designations/Other	17	

Total Revenue Fees Collected Town of Dunstable [see below]	\$6,126.00
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VITAL STATISTICS

The Town Clerk's office recorded births, deaths and marriages in 2005 as follows:

Births:

Males	16
Females	9
Total Births Recorded	25

Deaths:

Males	5
Females	6
Total Deaths Recorded	11

Marriage Licenses Issued	6
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Total Fees Collected Town of Dunstable	\$ 310.00
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DOG LICENSES

A total of 567 dog licenses and 5 kennel licenses were issued including late fees and fines to the Town of Dunstable.

Total Fees Collected Town of Dunstable	\$ 2,216.00
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FISH AND GAME LICENSES

Division of Fisheries/Wildlife	\$1,257.15
Total Fees Collected Town of Dunstable	20.50

BUSINESS CERTIFICATES/RAFFLE PERMITS

Total Fees Collected Town of Dunstable	190.00
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PASSPORTS

Total Passport Applications Processed

139

Total Fees Collected Town of Dunstable

\$3,390.00

TOWN CAUCUS

March 31, 2005

Total Ballots Cast: 57

SELECTMAN [1]

Kevin Welch 55

TREASURER

Bonnie Ricardelli 56

ROAD COMMISSIONER [1]

Edward Fahy 51

WATER COMMISSIONER [1]

Karl Huber 53

ASSESSOR [1]

George Frost 54

PARK COMMISSIONER [1]

No Nominations

PARK COMMISSIONER 1 YEAR [1]

No Nominations

ADVISORY BOARD [2]

Joseph Dean 50

Dana Metzler 47

GROTON-DUNSTABLE REG. SCHOOL COMMITTEE [1]

Alan Vervaeke 46

TREE WARDEN [1]

Robert Nelson 27

Edward Fahy 8

COMM. OF TRUST FUNDS [1]

No Nominations

TAX COLLECTOR [1]

Bonnie Ricardelli 55

BOARD OF HEALTH [1]

Maria Amodei 47

CONSTABLES [2]

Patrick Murphy 43

Sean Ready 47

LIBRARY TRUSTEE [1]

No Nominations

CEMETERY COMMISSIONER [1]

Phyllis Rootovich 50

TOWN MODERATOR [1]

Anne Farina 40

Robert Nelson 15

PLANNING BOARD [1]

Judy Larter 52

COMM. PARKHURST FREE LECTURE [1]

No Nominations

COMM. TO EXPEND PROCTOR & PARKHURST TRUST FUNDS - 5 YEARS

Danice Palumbo 53

Caucus Committee: David E. Tully
Willard J. Goldthwaite
Joseph T. Maguire, Jr.
Sandra G. Murphy
David H. Webber

SPECIAL TOWN MEETING

May 9, 2005

Following the motion to recess the Annual Town Meeting, the Special Town Meeting was called to order by Town Moderator, Anne Farina, at 7:23 pm with a quorum present. The Town Clerk read the greetings; a motion was made and seconded to dispense with the reading of the articles, ending with the closing the warrant and return of service. Town Moderator recognized Helene Morgan Babcock, for whom the 2004 Annual Town Report was dedicated.

ARTICLE 1. Motion made and seconded that the Town transfer the following amounts to Account #01-5-423-000 [Highway Snow Removal] in order to offset the account deficit allowed within the provisions of Mass. General Law Chapter 44, Section 31D:

Account Number	Title	Amount
175-007	Master Plan	2,348
195-005	Town Reports	350
199-005	Engineer	10,000
210-001	Police Wages	10,000
210-005	Police Expenses	2,000
210-006	Police Cruiser Exp.	2,000
210-007	Police Radio	1,000
211-000	Police Station Exp.	1,500
300-001	GDRSD	23,814
422-002	Hwy. Part Time Wages	7,000
422-006	Hwy. Maintenance	4,200
422-011	Hwy. Line Painting	2,152
433-000	Transfer Station	10,000
541-005	Council on Aging Bus	10,000
752-000	Interest on Temp Loan	10,000
July 1, 2004 Certified Free Cash		35,055

For a total of \$131,419.00

Majority Vote Required
Voted in the Affirmative Unanimously

ARTICLE 2. Motion made and seconded that the Town transfer from Fincom Reserve Fund \$1,240.00 to pay an unpaid bill to Howe Surveying Associates, Inc., from FY2004.

Majority Vote Required
Voted in the Affirmative Unanimously

Motion made and seconded to adjourn the Special Town Meeting at 7:30 pm.

Respectfully Submitted,

Carol A. Skerrett
Town Clerk

ANNUAL TOWN MEETING
May 9, 2005

After determining that a quorum was present, the Annual Town Meeting was called to order at 7:11 pm. by Moderator Anne Farina. The format of the evening was then outlined; the Moderator would accept a motion to recess the Annual Town Meeting and open the Special Town Meeting. Following the adjournment of the Special Town Meeting, a motion would be accepted to reopen the Annual Town Meeting. If a second night would be needed to conclude the business, the meeting would continue the following evening, Tuesday, May 10, 2005.

Announcements included the recognition of Boy Scout Troop #28 for delivering close to 1,000 town reports the previous weekend. Recognition was made to Matthew Belley and Alex Hollis for earning the rank of Eagle Scout and to Michael Hopke for starting his Eagle Scout project. Members of Boy Scout Troop #28 who carried flags included Michael Hopke, Daniel Flint, Matthew Michael and Benedict Walsh. Parents were recognized for their contributions as part of the Swallow Union Beautification program. A statement was made by Anne Farina who informed the members that she is a sitting member of the Planning Board and asked if anyone had an objection or concern relative to her moderating zoning articles [none stated]. Regarding money articles, the Board of Selectmen and Fincom would be asked to state their positions. Votes that required a 2/3 would be counted by Tellers Forrest Buzan and Mary Beth Pallis.

Selectman Bob Nelson was publicly recognized by Ted Gaudette for his 6 years of service as a member of the Board and warmly thanked for his contributions.

Following the Pledge of Allegiance, the Town Clerk read the greetings; a motion was made and seconded to dispense with the reading of the articles, ending with the closing of the warrant and return of service.

Motion made and seconded to recess the Annual Town Meeting and resume after the completion of the Special Town Meeting.

Majority Vote Required
Voted in the Affirmative

Motion made and seconded to reopen the Annual Town Meeting at 7:35 pm.

ARTICLE 1. Motion made and seconded that the Town accept the 2004 Annual Report as printed with the following corrections: Town Treasurer's annual report missing; report was passed out at this meeting and available from Town Hall.

Majority Vote Required
Voted in the Affirmative

ARTICLE 2. – Motion made and seconded that the Town raise and appropriate the following sums to defray the expenses for the Town, to fix Salary & Compensation for all elected and appointed Town Officers.

		Recommended FY06
GENERAL GOVERNMENT		
122.000	Selectmen Salaries.....	1,800
122.005	Selectmen Expense.....	5,000
new	Selectmen Specialized Legal.....	12,500
131.005	Finance Committee Expense.....	150
132.000	Reserve Account.....	15,000
135.000	Town Accountant Salary.....	17,135
135.001	Town Accountant Clerical.....	5,684
135.005	Town Accountant Expense.....	1,800
135.007	Audit of books.....	0
141.000	Assessor's Salaries.....	900
141.001	Assessor's Associate.....	23,236
141.002	Assessors Clerical	11,153
141.005	Assessors Expense.....	6,000
145.000	Treasurer Salary.....	20,352
145.005	Treasurer Expense.....	7,500
146.000	Tax Collector Salary.....	20,352
146.005	Tax Collector Expense.....	9,100
151.000	Town Counsel Retainer.....	25,000
151.005	Contingent legal expenses.....	0
160.000	Dog License Program.....	1,000

161.000	Town Clerk Salary.....	24,000
161.005	Town Clerk Expense.....	2,500
162.000	Election and Registration Wages.....	2,000
162.005	Election and Registration Expenses.....	2,600
163.000	Registrar Salary.....	200
171.001	Conservation Committee Clerical.....	13,579
171.005	Conservation Committee Expense.....	3,000
171.006	Conservation Land Fund.....	50,000
175.001	Planning Board Clerical.....	13,579
175.005	Planning Board Expense.....	1,000
new	Planning Board Legal NRLT.....	15,000
176.005	Zoning Board of Appeals Expense.....	4,000
new	Zoning Board Legal Expense.....	2,500
176.006	Northern Mdlx Council of Gov'ts.....	700
192.000	Town Hall Clerical.....	39,666
192.001	Town Hall Caretaker Wages.....	7,500
192.005	Town Hall Expenses.....	25,000
195.000	Town Reports.....	5,000
199.005	Town Engineer.....	22,500
Subtotal General Government		417,985
PUBLIC SAFETY		
<u>POLICE DEPARTMENT</u>		
-		
210.000	Police Chief Salary.....	86,375
210.001	Police Wages.....	447,583
210.005	Police Expenses.....	28,390
210.006	Police Cruiser Expense.....	29,546
210.007	Police Radio Services.....	66,752
210.008	Police Lockup.....	3,500
210-009	Police Cruiser.....	36,994
211.000	Police Station Expense.....	17,606
Subtotal Police		716,746
<u>FIRE DEPARTMENT</u>		
220.000	Fire Wages.....	2,500

220.005	Fire Expenses.....	12,500
<div>new</div>	Fire Dept Training.....	1,250
220.006	Fire Equipment.....	3,750
Subtotal Fire		20,000
232.005	EMS Operating Expenses.....	7,400
241.000	Building Inspector Salary.....	14,000
241.005	Building Inspector Expense	1,300
242.000	Gas Inspector Salary.....	1,916
243.000	Plumbing Inspector Salary.....	3,548
245.000	Electrical Inspector Salary.....	8,560
249.001	Animal Inspector Expenses.....	400
291.000	Emergency Management.....	500
292.000	Dog Officer Wages and Expense.....	6,000
294.000	Tree Warden Wages and Expense.....	5,000
Subtotal Public Safety		785,370
SCHOOLS		
<u>G.D.R.S.D.</u>		
300.001	GDRSD Operating Budget.....	3,508,815*
		3,444,035
300.002	GDRSD Debt.....	694,139
Subtotal GDRSD		4,138,174
		4,202,954*
<u>G.L.R.V.T.S.</u>		
300.003	GLRVT Operating Budget.....	100,748
Subtotal GLRVT		100,748
Subtotal Schools		4,238,922
		4,303,702*
PUBLIC WORKS		
<u>HIGHWAY DEPARTMENT</u>		
422.000	Highway Salaries.....	90,068
422.002	Highway part-time wages.....	0
422.001	Highway Clerical.....	13,939
422.006	Highway Maintenance.....	27,000

422.007	Highway Machinery Fund.....	31,000
422.008	Highway Lease/Purchase Equipment.....	14,545
422.009	Highway Brush Removal.....	6,500
422.010	Highway Sign Maintenance.....	1,500
422.011	Highway Line Painting.....	7,200
423.013	Highway Paving.....	11,000
423.000	Highway Snow Removal.....	91,000
424.000	Street Lights.....	6,000
Subtotal Highway Department		299,752
433.000	Transfer Station	87,500
433.001	Landfill Expenses.....	1,000
491.000	Cemetery Wages and Supplies	11,960
491.001	Cemetery Care of Lots.....	735
491.002	Cemetery Interments	3,000
		403,947

Subtotal Public Works

HUMAN SERVICES

510.002	Nashoba Board of Health Assessment.....	5,083
510.005	Board of Health Expense.....	7,000
522.000	Nursing Services.....	1,758
523.000	Greater Lowell Mental Health.....	400
541.000	Council on Aging.....	5,000
541.005	Council on Aging Transportation.....	7,000
543.000	Veterans Agent Salary.....	600
543.002	Veterans Agent Expense.....	500
543.006	Veterans Benefits.....	500
Subtotal Human Services		27,841

LIBRARY & RECREATION

610.000	Library Salaries.....	63,119
610.005	Library Expenses.....	57,875
611.000	MVL Consortium Dues.....	10,580
630.000	Cable Television Committee.....	100
631.005	Recreation Department Expense.....	5,500

new	Technology.....	1,000
650.000	Parks Department Expense.....	14,000
650.001	Larter Field Maintenance.....	10,000
670.000	Arts Lottery Commission Cultural Council.....	75
691.000	Historical Committee Expense.....	500
692.000	Memorial Day Committee.....	550
693.000	Summer Concert Series.....	2,000
Subtotal Library & Recreation		165,299
DEBT & INTEREST		
710.000	Long Term Debt.....	266,239
751.000	Long Term Interest.....	118,036
752.000	Short Term Interest.....	10,000
Subtotal Debt & Interest		394,275
INSURANCE & ASSESSMENTS		
910-000	Disability Insurance Claims.....	
911.000	County Retirement.....	76,875
914.000	Group Health Insurance.....	97,338
919.000	FICA.....	19,600
945.000	Property and Liability Insurance.....	54,103
Subtotal Insurance & Assessments		247,916
WATER DEPARTMENT		
061.501	Water Dept. Clerical.....	5,461
061.502	Water Dept. Expense.....	400
061.503	Water Dept. Debt.....	12,475
061.505	Water Dept. Maintenance.....	34,394
Subtotal Water Department		52,730
Total Budget Line Items		\$6,734,285
Total Debt and Interest		\$6,799,065*
Total Debt and Interest %		16.2%
Total Operating Line Items		\$5,643,396
		\$5,708,176*

Total Operating Line Items % 83.8%

* Amounts reflect the amended amount including the additional \$64,780 for our share of assessment in the Groton-Dunstable Regional School District [300.001]

Items questioned: 171.006 Conservation land fund
300.001 GDRSD Operating Budget - \$3,508,815.00 [amended dollar amount pointed out, item was not questioned]
061.501 Water Dept. Clerical
061.502 Water Dept. Expense
061.503 Water Dept. Debt
061.505 Water Dept. Maintenance

Motion made and seconded to approve the line items not questioned.

Majority Vote Required
Voted in the Affirmative

Questioned Line Items:

171.06 Conservation line fund. Motion made and seconded that the Town move the amount under Article 2, item 171.006, be deemed a vote under Chapter 40, Section 8C of the General Laws of Massachusetts, to accumulate from year to year according to that statute.

Majority Vote Required
Voted in the Affirmative

061.501 Water Dept. Clerical
061.502 Water Dept. Expense
061.503 Water Dept. Debt
061.505 Water Dept. Maintenance

Water Dept transfer from receipts. Motion made and seconded to approve the line items.

Majority Vote Required
Voted in the Affirmative Unanimously

Advisory Board Chairman Dan St. Jean presented an overview of the Town's FY06 budget including revenue sources with an explanation of free cash, transfers and allocation of new revenues [copy entered into record]. Dunstable's portion of the Groton-Dunstable Regional School District assessment increased by \$64,780 and without free cash, our choices on how to deal with this became limited. In the budget we are carrying the higher number that the school is requesting. Because the Advisory Board is bringing an unbalanced budget to Town Meeting, approval of this budget

means that after July 1 when our Free Cash is certified, the Town will have to come back to a special town meeting, or cut something out of the budget.
\$425.60 = \$1.00 to your tax bill.

School Committee Chairman Alan Vervaeke recognized Dr. Jennings for her 11 years as Superintendent and recognized the many positive changes that have occurred in the District under her tenure. Alan then introduced Dr. Alan Genovese, the new Superintendent for the District beginning July 1, 2005.

School Committee member Frank O'Connell spoke to the audience regarding the budget and contributing factors to the increase [health insurance, transportation, special education needs, utilities and increases to teachers' salaries. Discussion and questions continued.

ARTICLE 3. Motion made and seconded that the Selectmen appoint for a term of one year, one Pound Keeper, two Fence Viewers, two Field Drivers, and three Surveyors of Lumber.

Majority Vote Required
Voted in the Affirmative Unanimously

ARTICLE 4. Motion made and seconded that the Town ratify the acceptance of a gift of cash legacy the Library Trustees from the Marjorie Olney Estate.

Majority Vote Required
Voted in the Affirmative

ARTICLE 5. Motion made and seconded that the Town accept the Reports as called and read under Article 5. *[David Johnson, Chairman of the Affordable Housing Committee announced the town's Affordable Housing plan was approved by the state, and briefly mentioned the Community Preservation Project. Beth Falkner, Chairman of the Alternative Revenue Source Committee explained their charge that was formed following Candidate's Night 2003. The Committee was having difficulty meeting since it only included 4 members, each of whom traveled with their jobs or had other commitments, and asked for more members to come forward. The ARC had looked into building permits, fees, cell tower coverage, etc., to determine where the town could benefit from additional revenues. John Bagni, Chairman of the Mixed Use District Committee formed in August and has been charged with creating an RFP to develop the area behind the post office. At this time the RFP is complete and awaiting town counsel approval. The Committee has found the bylaw had to be changed and is hoping that developers will come in really close to our RFP which has some strict guidelines about senior housing and affordable housing. Joe Dean, Fire Needs*

Investigation Committee was formed to look into the status of our Fire Department including building, equipment, personnel and policies and to determine if they meet the current needs of the town.. Their recommendations are that we purchase a new truck, have someone dedicated to researching grants, purchase new communication and pursue new volunteer firefighters on an ongoing basis.

Majority Vote Required
Voted in the Affirmative

ARTICLE 6. Motion made and seconded that the Town take no action *[on paying any unpaid bills of 2004, as none is needed]*.

Majority Vote Required
Voted in the Affirmative

ARTICLE 7. Motion made and seconded that the Town accept the provisions of Chapter 41, Section 108P, which allows for additional compensation to be paid to the Tax Collector/Treasurer upon certification by the Massachusetts Treasurer and Collectors Association and to further raise and appropriate \$1,000.00 to provide such additional compensation.

Majority Vote Required
Voted in the Affirmative

ARTICLE 8. Motion made and seconded that the Town accept the provisions of Chapter 41 of Massachusetts General Laws, Section 19K, which allows for additional compensation to be paid to the Town Clerk upon certification by the Massachusetts Town Clerk Association as a certified Municipal Clerk, and to further raise and appropriate \$1,000.00 to provide such additional compensation.

Majority Vote Required
Voted in the Affirmative

ARTICLE 9. Motion made and seconded that the Town take no action at this time *[toward adopting Section 491 of the Acts of 2004]*.

Majority Vote Required
Voted in the Affirmative

ARTICLE 10. Motion made and seconded that the Town borrow the sum of Three Hundred Thousand Dollars [\$300,000.00] for the acquisition by purchase or lease of a pumper truck for the Fire Department, equipped along with various communications equipment.

2/3 Vote Required
Voted in the Affirmative Unanimously

ARTICLE 11. Motion made and seconded that the Town authorize the Fire Chief to dispose of by public auction, salvage, or any other commercial reasonable method, a 1979 Ford F800 pumper known as “Engine 1” upon delivery of the new pumper referenced in the motion made under ARTICLE 10 of this warrant.

Majority Vote Required
Voted in the Affirmative

ARTICLE 12. Motion made and seconded that the Town appropriate by transfer from the Stabilization Fund, the sum of Thirty Five Thousand Dollars (\$35,000.00) for the purchase of a records management system for the Police Department. Motion passes.

Majority Vote Required
Voted in the Affirmative

ARTICLE 13. Motion made and seconded that the Zoning Bylaw be amended in Section 13 as regards to temporary signs by adding the adjusting language to Sections 13.1 and 13.2 of the Bylaw, as printed in subsections (A) and (B) of Article 13 of the warrant of this meeting, and by adopting the new Subsection 13.6., all in accordance with the language as printed in subsection (C) of Article 13.

- (A) by adding in subsection 13.1., following the word “others,” in the first line, the phrase, “excepting temporary signs as provided in Subsection 13.6.,” so that the revised text reads:

“13.1. In Residence Districts, the following exterior signs, and no others, excepting temporary signs as provided in Subsection 13.6., are permitted: [etc.]”

- (B) by adding in subsection 13.2., following the word “others,” in the first line, the phrase, “excepting temporary signs as provided in Subsection 13.6.,” so that the revised text reads:

“13.2. In any Business District, the following exterior signs, and no others, excepting temporary signs as provided in Subsection 13.6., are permitted, provided they pertain to the business conducted on the premises: [etc.]”

- (C) by adding after existing Subsection 13.5., the following Subsection:

“13.6. In all districts, notwithstanding the foregoing provisions, temporary signs may be erected and displayed provided they meet the following requirements:

- (a) They may only be employed for temporary purposes in order to give notice of special or community events, local occasional sales of goods of a non-recurring nature such as yard sales, or occasional events of a similar nature.

- (b) Temporary signs on private property shall require the permission of the owner.
- (c) Temporary signs within public ways shall not be attached to trees, utility poles or fences, nor shall they obstruct necessary sight lines.
- (d) Signs noticing specific events may be displayed no earlier than twenty-one days prior to the commencement of the event and shall be removed forthwith following the event, not to exceed five calendar days.
- (e) Signs such as banner signs erected over public ways in the town shall first be approved as to content upon application to the Board of Selectmen (which approval shall not be unreasonably refused), and shall be subject to further procedures through the Board of Road Commissioners pursuant to Massachusetts General Laws, Chapter 85, Section 8, as amended.
- (f) Signs pertaining to public elections shall be allowed provided that none shall be erected earlier than sixty (60) days prior to the election and each shall be removed forthwith following the election, not to exceed five calendar days.

During a Public Hearing held on April 19, 2005, the Planning Board recommended passage of Article 13.

2/3 Vote Required
Voted in the Affirmative Unanimously

ARTICLE 14. Motion made and seconded that the Town authorize the Board of Selectmen to undertake the development and or disposition of town land situation on the southerly side of Pleasant Street behind the Post Office, acquired by deed of Nancy J. Finnegan, et al, recorded with the Middlesex North District Registry of Deeds at Book 10622, Page 236, or any portion of said land, in accordance with the provisions of the Mixed Use District amendment to the Zoning Bylaw enacted by vote under Article 24 of the Annual Town Meeting of May 10, 2004, as amended, or any other source of law, intending by this vote as part of such initiative to address and supply the need in the town for affordable housing as well as other forms of development, and in accordance with recommendations of the Mixed Use Development Committee, to the extent the Selectmen shall in their discretion determine these to be advisable, and in conjunction with such advice and consultation as the Selectmen shall deem necessary; intending further by this vote to authorize the Selectmen to solicit bids or proposals, determine the terms and conditions to be stated in such solicitations, determine the mode of disposition of said real property, whether by deed, lease, or exchange of the real property described in this vote for other real property, or a combination of any or all of said methods; hereby authorizing the Board of Selectmen to execute and deliver deeds, leases or other necessary instruments in the event the Selectmen determine to transfer the property or a portion of it in connection with its development, and to enter into any contract or contracts, determine the disposition of the dwelling house situated on the

premises [formerly the site of the temporary town hall], and negotiate and determine the price to be paid for any portion of such land or all of it; and otherwise to do all things reasonably necessary or ordered to these purposes.

[Passing this article authorizes the Board to issue the Requests for Proposal as [developed by the Mixed Use District Committee], to rank the proposals as determined by the RFP, and dispose of the property in a variety of possible ways. The size of the projects will not be known until the bids come in. The Selectmen will work with other town boards to determine which proposals best meet the criteria as determined by the RFP. The following require a town meeting vote; if the Selectmen were to take land to be acquired by the land as part of a project, and secondly, to the extent that land in the town is transferred from one board or committee require a vote. If the land is in the custody of the Selectmen and to be transferred to another department or function, it would require a vote of the town. Disposing of the Little Town Hall requires a vote.]

2/3 Vote Required

Voted in the Affirmative In Excess of 100 votes with 4 Negative Votes

ARTICLE 15. Motion made and seconded that the Town acquire by purchase through the exchange of other property presently owned by the Town, namely some or all of the property acquired from Nancy J. Finnegan, et al, by deed at Book, 10622, Page 236, certain real property with any improvements thereon situated at 215 Pleasant Street, commonly known as the DeBarbian land, presently owned by the trustee of Salmon Brook Realty trust, subject to a Life Estate in Mary A. DeBarbian, described in a deed of Mary A. DeBarbian recorded in Middlesex North Registry of Deeds Book 14024, Page 62, containing 3 ½ acres more or less. *[This gives the Selectmen the authority to acquire the land located at 213-215 Pleasant Street on behalf of the town.]*

2/3 Vote Required

Voted in the Affirmative in Excess of 100 votes with 6 Negative Votes

ARTICLE 16. Motion made and second to take no action.

Majority Vote Required

Voted in the Affirmative

ARTICLE 17. Motion made and seconded that the Zoning Bylaw be amended in Section 23, Mixed Use District, relative to density limitations based on area and numbers of units, all in accordance with the language printed in Article 17 of the warrant.

- (a) By striking Section 23. D., subsection 1., thereof, in its entirety, and substituting therefor the following:

“1. The minimum area allocation for each dwelling unit shall be five thousand (5,000) square feet.”

- (b) By striking in its entirety Section 23, D. subsection 5. [pertaining to maximum number of dwelling units per building] and renumbering the remaining subsections accordingly in proper sequence.

During a Public Hearing held on April 19, 2005, the Planning Board recommended passage of Article 17.

2/3 Vote Required

Voted in the Affirmative in Excess of 80 votes in the Affirmative with 4 Negative Votes

ARTICLE 18. Motion made and seconded that Section 6.6.3 of the Zoning Bylaw pertaining to Open Space Development be amended by striking the existing provision and substituting therefore the following language provided in the warrant in Article 18.

- (a) By striking Section 6.6.3. (J) thereof in its entirety, and substituting therefor the following:

“6.6.3.(J) Dwelling units under this section may be in the format of attached housing, in whole or in part, in the discretion of the Planning Board, provided the Planning Board finds that development in such manner more effectively promotes the purposes of this Section, and subject in all events to such limiting terms and conditions as the Planning Board may require. In the event that attached multi-unit housing is implemented under this Section, the total number of units shall not exceed the number calculated pursuant to Subsection 6.6.3.(C), above, together with additional units created under the following Subsection 6.6.3.(K).

- (K) In addition to the number of dwelling units permitted under this Section, development may include Affordable Units, as defined in Section 6.7.5.(O) of this Bylaw, or within the meaning of Massachusetts General Laws, Chapter 40B, as amended, or Regulations adopted thereunder, not to exceed twenty-five (25%) percent of the number calculated according to Subsection 6.6.3.(C), above, rounded to the nearest whole number. Furthermore, for each unit of affordable housing included pursuant the preceding sentence, there shall be added to the total number of housing units authorized pursuant Subsection (J) immediately above, as a density bonus (if requested by the applicant), one additional housing unit, unrestricted.”

Motion made and seconded to amend the motion on the floor to delete the subsection K.

Motion to Amend Voted in the Affirmative

2/3 Vote Required [Amended Motion]
86 votes cast [58 needed to pass] 46 in favor and 40 against
Amended Motion Defeated

ARTICLE 19. Motion made and seconded that the Town take no action *[toward the appropriations or transfers for the purchase of a generator system for the Emergency Operations Center]* site at this time.

Majority Vote Required
Voted in the Affirmative

ARTICLE 20. Motion made and seconded that the Town borrow, in anticipation of revenue or reimbursement, the sum of One Hundred Six Thousand, Five Hundred Eighty Nine Dollars and no Cents (\$106,589.00), along with any other amount that might become available for reimbursement under G.L. Chapter 90, Section 34 clause 127(A).

Majority Vote Required
Voted in the Affirmative Unanimously

ARTICLE 21. Motion made and seconded that the Town transfer Five Thousand (\$5,000.00) Dollars from the Cemetery Sale of Lots Account to the Cemetery Care of Lots Account.

Majority Vote Required
Voted in the Affirmative Unanimously

ARTICLE 22. Motion made and seconded that the Town take no action *[on establishing an account and/or future budget line item entitled "Trails & Sidewalks" with no funding at this time]*.

Majority Vote Required
Voted in the Affirmative

ARTICLE 23. Motion made and seconded that the Town adopt the following bylaw concerning fees collected by town officers:

Disposition of Town Fees Bylaw

"All Town officers shall pay into the Town Treasury all fees received by them by virtue of their office, subject to such ordinary payments and disbursements as are authorized or required under the general laws."

Majority Vote Required
Voted in the Affirmative

ARTICLE 24. Motion made and seconded that the Town take no action *[towards appropriating funds for a playground at Larter Field]* at this time.

Majority Vote Required
Voted in the Affirmative

ARTICLE 25. Motion made and seconded that the Town take no action *[towards funding the GDAY program]* at this time.

Majority Vote Required
Voted in the Affirmative

ARTICLE 26. Motion made and seconded that the Town authorize the Board of Health to enter into and/or extend a contract with any provided of household waste removal services, hazardous or otherwise, public or private, including by such vote the authority to enter into agreements under Massachusetts General Laws, Chapter 40, Section 40, Section 4 and/or 4A, or any other provisions of law and the authority in behalf of said Board of Health to determine terms and provisions of any such agreements, the costs of such services to be defrayed pursuant to an appropriation made under article 2 of this warrant, budget line item #510.005.

Majority Vote Required
Voted in the Affirmative

ARTICLE 27. Motion made and seconded that the Town authorize the use of a revolving fund for the next fiscal year pursuant to the authority of Section 53E1/2 of Chapter 44 of the General Laws, as established under Chapter 275 of the Acts of 1990, to be administered and expended by the Board of Health for the operation and maintenance of the solid waste facility/transfer station including the payment of wages or salaries of employees of such facility who are not full time employees of the Town, such fund to be funded by receipts collected for tags, stickers and recycling and other such permit fees appertaining to the use of the solid waste facility/transfer station, the maximum dollar limit to be expended from such fund during the next fiscal year to be Thirty Thousand (30,000.00) Dollars.

Majority Vote Required
Voted in the Affirmative

At this time, winners of the Transfer Station drawing were announced – Bob and Melissa Holt, 446 Hollis Street; Anne M. Paquin, 64 Hardy Street and Elizabeth Oliveira, 611 Hollis Street

ARTICLE 28. Motion made and seconded that the Town authorize the Board of Selectman to enter into and/or extend a contract with any provider of dispatch and related services, public or private, including by such vote the authority to enter into agreements under Massachusetts General Laws, Chapter 40, Section 4 and/or 4A, or any other provisions of law and the authority in behalf of said Board of Selectman to determine terms and provisions of any such agreements the costs of such services to be defrayed pursuant to any appropriation made under Article 2 of this warrant, budget line item #210.007.

Majority Vote Required
Voted in the Affirmative

ARTICLE 29. Motion made and seconded that the Town take no action *[authorizing the use of a revolving fund for the next fiscal year pursuant to the authority of Section 53E1/2 of Chapter 44 of the General Laws, to be administered and expended by the Planning Board for engineering services and supervisory services related to subdivisions, special permits and site plans]*.

Majority Vote Required
Voted in the Affirmative

ARTICLE 30. Motion made and seconded that the Town take no action *[to raise and appropriate or transfer from available funds a sum of money for the Stabilization Fund]*.

Majority Vote Required
Voted in the Affirmative

ARTICLE 31. Motion made and seconded that the Town allow the Board of Assessors to use \$144,532.00 Free Cash in the Treasurer's hands for the purpose of reducing the Tax Levy of 2006.

Majority Vote Required
Voted in the Affirmative

Motion made and seconded to adjourn the Annual Town Meeting at 10:54 pm. Total number of voters checked in: 157.

Respectfully submitted,

Carol A. Skerrett
Town Clerk

ANNUAL TOWN ELECTION

May 16, 2005

Total Ballots Cast: 298 [14% of registered voters]

SELECTMAN [1]

Kevin Welch	232
Ralph Sabatino	55

TAX COLLECTOR

Bonnie S. Ricardelli	262
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ROAD COMMISSIONER [1]

Edward Fahy	255
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GROTON-DUNSTABLE REG. SCHOOL COMM.

Alan E. Vervaeke	215
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WATER COMMISSIONER [1]

Karl J. Huber	243
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ASSESSOR [1]

George Frost	239
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BOARD OF HEALTH [1]

Maria Amodei	226
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PLANNING BOARD [1]

Judith Larter	233
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COMM. OF TRUST FUNDS [1]

No candidate

TREE WARDEN

Edward Fahy	215
Robert Nelson	64

TREASURER [1]

Bonnie S. Ricardelli	257
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PARK COMMISSIONER 3 Yrs. [1]

Francis Wright [write in]	6
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PARK COMMISSIONER 1 year[1]

Robert Busser	219
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CONSTABLES [2]

Patrick Murphy	228
Sean G. Ready	220

LIBRARY TRUSTEE [1]

Anne Paquin	258
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CEMETERY COMMISSIONER [1]

Phyllis M. Rootovich	239
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TOWN MODERATOR [1]

Anne Farina	222
Robert Nelson	64

ADVISORY BOARD [2]

Joseph Dean	215
Dana Metzler	212

COMM. PARKHURST FREE LECTURE [1]

Janet Waldman [write in]	3
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Question #1: Shall the Town of Dunstable be allowed to exempt from the provisions of Proposition two and one half, so called, the amounts required to pay for the bonds or

other debt instruments issued by the Town of Dunstable for purchase of miscellaneous equipment including pumper truck and related equipment and communications for the Fire Department as described in Article 10 of the May 9, 2005 Annual Town Meeting?

Yes: 199

No: 66

Blanks: 33

SPECIAL TOWN MEETING November 7, 2005

After determining that a quorum was present, the Special Town Meeting was called to order at 7:07 pm. by Moderator Anne Farina. Announcements included an open house invitation, in honor of Veteran's Day, extended by Peter Georges, Veteran's Agent for the Town, to all Veterans who are residents of the Town, to be held on Friday, November 11, 2005 at the Town Highway Garage. Following this announcement, the Moderator requested a moment of silence "to honor the late Rosa Parks, the first woman to lie in state at the Capital Rotunda. Fifty years ago Ms. Parks reminded us that our Constitutional rights, although guaranteed to all of us, must be exercised by each of us." Vote counters for the evening were Cheryl Mann and Brett Rock. The voter check-in table was supervised by Amy Schembechler.

Cub Scout Pack 28 members recognized were Zachary Berard [American Flag], Alex Richmond [Dunstable Town Flag], Matthew Fenn [Pack 28 Flag], Brogan Walsh and Liam Wash [Den 6 Flag] and Color Guards Collin Sullivan, William Frey and Daniel Faubel [Tiger Scout].

Following the Pledge of Allegiance, the Town Clerk read the greetings; a motion was made and seconded to dispense with the reading of the articles, ending with the closing of the warrant and return of service.

ARTICLE 1. Motion made and seconded that the Town approve the \$2,500,000.00 borrowing authorized by the Groton-Dunstable Regional School District Committee on October 6, 2005, to pay additional costs of acquiring land for the purpose of locating the new District High School, including the payment of all other expenses incidental and related thereto, said vote having been approved by the District and the Town of Dunstable for the purpose of expediting tax rate certification by the DOR Director of Accounts.

A brief presentation was made by Frank O'Connell, Vice Chairman of the Groton-Dunstable Regional School Committee. The reason for this meeting is that the Department of Revenue has determined that both towns must have town meeting authorization in place before approving a tax rate for this year. This prevents the Town from sending out tax bills, resulting in no revenue coming into the Town. The sequence of events leading up to, and following the eminent domain land taking was then reviewed [see handout on record]. Frank explained that it is the opinion of the school

committee that certain procedural issues were not followed and a more favorable judgment may come forward. The District has an obligation to maintain the confidentiality of the appeal as long as it is under litigation. This article authorizes debt borrowing. Current funds to offset this debt include excess land authorization [\$2.4 authorized vs. \$1.8 paid], high school building fund [approx. \$300K], E&D fund.

Dana Metzler, Chairman of the Advisory Board stated that it is imperative that this article be approved. – With no receipts until January, we are forced to borrow. Dunstable's portion of the \$2,500,000.00 would be \$580,000.00 paid over a 20 year period. The Advisory Board voted in support of this article with one abstention. Susan Psaladeakis, Chairman of the Board of Selectmen stated that the Board of Selectmen endorses this article. Following the borrowing, the estimated tax burden [most likely FY08] would be \$60 per year on a \$300,000.00 home.

Majority Vote Required
Yes: 89 No: 6
Voted in the Affirmative

ARTICLE 2. Motion made and seconded that the Town accept the provisions of Massachusetts General Law Chapter 59, Section 57C for the purpose of adopting and/or establishing a quarterly tax payment system effective with fiscal year 2007 taxes.

The Board of Selectmen and Advisory Board unanimously endorse this article. The majority of towns within MA issue quarterly tax bills. The less money borrowed, the more it helps our finances.

Majority Vote Required
Voted in the Affirmative

ARTICLE 3. Motion made and seconded that the Town appropriate the sum of \$735,000.00 for the purpose of acquiring for conservation and passive recreation purposes, by eminent domain, negotiated purchase, deed, or otherwise, certain real property together with any improvements thereon, known as the Kathleen Henry property situated on/near High Street and on the Salmon Brook, being a portion of Assessor's Parcel No. 15-9-0, and being a portion of the premises described in a deed dated December 9, 1985, recorded with Middlesex North District Registry of Deeds, Book 3278, Page 66; said premises being shown in substance as "Proposed Lot A, 26 acres, more or less," including a parcel of 1.6 acres linking the larger portion of the parcel with High Street, on a draft plan prepared for Richard Henry by Flaherty Associates of Chelmsford, dated April 23, 2003, revised July 13, 2005; hereby authorizing the Conservation Commission to affirm and approve in their discretion the final boundaries of the parcel to be acquired; and in order to effect such appropriation, to carry out the following financial measures:

- Transfer from the Conservation Timber Fund [Town Forest account] the sum of \$23,284.96

- Transfer from the Conservation Timber Trust held in relation to the Spaulding Proctor Reservation the sum of \$58,555.16
- Transfer from the Conservation Land Fund the sum of \$54,052.39
- Authorize the Treasurer with the approval of the Selectmen to borrow pursuant to Chapter 44, Section 8C of the General Laws as amended, or any other law, the sum of \$599,107.49

Thereby aggregating \$735,000.00 for the entire appropriation; that said land be conveyed to the Town under the provisions of Massachusetts General Laws, Chapter 40, Section 8C, as amended, and other Massachusetts statutes relating to Conservation, to be managed and controlled by the Conservation Commission of Dunstable, and that the Conservation Commission, together with the Board of Selectmen if necessary, be authorized to prepare and submit on behalf of the Town any and all applications for grants and/or reimbursements from the Commonwealth of Massachusetts as deemed necessary under the Self-Help Act, so-called [Chapter 132A, Section 11] and/or any other provision of law appropriately connected with the scope of this Article, and the town and the Conservation Commission be authorized to enter into any and all agreements, execute any and all instruments, accept instruments of conveyance on behalf of the town, or otherwise do all things reasonably necessary and ordered to these purposes.

Conservation Commission member Alan Chaney's presentation summarized the motion [handout entered into record]. The Self-Help program is a state grant program that provides reimbursements to selected municipalities towards the purchase of land for conservation and passive recreation purposes. Following the submission of documentation and appraisals, the Town of Dunstable qualified for a 58% self-help reimbursement rate of the accepted appraisal value. Dana Metzler, Chairman, Advisory Board stated the Board is in full agreement of purchasing this land. The Board of Selectmen unanimously supports this article and encourages voters to vote "yes". The question of amending the motion to strike the words "eminent domain" was raised but Town Counsel Richard Larkin advised against it, citing the possibility of technical title issues.

2/3 Vote Required. Total votes: 104 [70 votes in the affirmative to pass the motion]
 Yes: 100 No: 4
 Motion passes

ARTICLE 4. Motion made and seconded that the Town authorize the transfer of Four Thousand [\$4,000.00] Dollars from the Highway Machine Reserve Fund into the Highway Snow Removal account for the purchase of snow removal equipment.

Majority Vote Required
 Voted in the Affirmative

Motion made and seconded to adjourn at 8:30 pm. Total number of voters checked in at the Special Town Meeting of November 7, 2005: 114.

Respectfully submitted,

Carol A. Skerrett
Town Clerk